

MANITOBA JUBILEE

Account of Events Which Brought About
the Formation of the Province

SHORT SKETCH

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The Metis Historical Society

While preparations are under way to celebrate Manitoba's jubilee it might be of interest to sketch the events which preceded the formation of the new Province in 1870. As a diversion to the usual and numerous articles we read on that subject I shall give the Metis version and show what the reverse of the medal looked like to those who were most affected by the events in question.

My story is taken from the Riel family papers, the relations of the plainmen, a great number of whom I have known intimately, and what my father, who in 1870 was amongst Riel's most bitter opponents, often told me in the course of my researches on the early history of the Canadian West.

Everybody is acquainted with the fact that prior to 1869 the North West Territories were governed by the Hudson's Bay Company by virtue of a Royal Charter granted in 1670 by Charles II, King of England, to his cousin Prince Rupert and his associates. That charter gave to the great company legislative, executive and certain judicial powers which enabled it to establish some form of government wherever the need called for it. For this part of the country the Council of Assiniboia had been set up with the Governor as head and a council of men chosen from amongst the most capable men of the colony, and who were appointed members of the Council by the directors of the company at London; magistrates, judges, sheriffs, and other officers, were also appointed in the same way.

The two sections of the community, French and English speaking, were both represented. For the French, Bishops Provencher, Lafèche, Taché, Messrs. Brelan, Goulet, Dauphinais, Hamelin, Bruneau and others, filled the duties of councillors or magistrates at different periods.

The population was made up of Indians, half-breeds, who were of French and Scotch descent, and the full-blooded whites who formed a small minority. The Half Breeds who formed an overwhelming majority were themselves divided into two groups according to the language they usually spoke at home. The Metis comprised every one who used French as his language and who had a drop of Indian blood without regard to what degree and how remote the Indian blood was. This group was mostly of French extraction but included also a good number of Scotch who had identified themselves with it. Then there was the group of those who spoke English or Gaelic and which was known to the Metis simply as Scotch half-breeds, regardless of the proportion of the strain of Indian blood they might have.

From 1849, when the miller of the Seine, Louis Riel, a metis, had checked the Hudson's Bay Co. in the drastic exercise of its monopoly and had the freedom of trade recognized by the Company the whole community lived peacefully and happily under the paternal government of the Company through the Council of Assiniboia. Ignorant of racial, creed, or

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language differences, the colony seems to have been more of a brotherhood than a multi-ethnical settlement. The Scotch were thrifty and arduous tillers of the soil while the Metis were hunters and plainsmen, though fervently attached to their hearths along the streams where they had bought a strip of land measured out after the French custom of old Quebec.

Metis Were Loyal

As far as the Metis were concerned they looked upon the Great Company with a loyalty which was almost a pious veneration. However, freedom of trade occasioned the opening of free traders' stores who had more relations with St. Paul, Minn., than with the Hudson's Bay Company, but the Metis as a whole dealt with the Company, and even today the acme of quality of an article is for an old Metis that it is from the Hudson's Bay Co.

Little by little, as people from Ontario or elsewhere came in, changes were being noticed. That did not please the conservative Metis. In 1859 one Buckingham brought a press and started a newspaper "The Norwester," the columns of which were a constant attack against the Hudson's Bay Company and its administration of the country, neither did it spare the Metis in their origin and customs.

Strictly speaking the "Norwester" did not affect the Metis (nor as far as that goes) their Scotch brothers in their relations with the Company. It was read here by only a few, but it carried to Ontario the impression that the Hudson's Bay Company was a despot holding sway over a population it had enslaved. The eastern papers repeated the stories of the "Norwester" and thus succeeded in weakening the influence of the Company. From 1859 disturbances broke the monotonous peace of the colony, and jeopardized the authority of the Council of Assiniboia. One Corbett was arrested on an accusation against morals, his friends cautiously forced the jail and freed him. Later, one Dr. Schultz, a prominent leader in the agitation against the Hudson's Bay Company was imprisoned for non-payment of debts; he also was set free by his friends in the same way as Corbett, in defiance of the recognized authority. Those are only two

of the many infractions which marked that period. It is unfortunate that in almost every case the Easterners were the authors. Such occurrences of course, alienated the minds of the Metis from all things Canadian. With the recurrence of misconduct in the ranks of the Easterners it became obvious that the Hudson's Bay Government was becoming inadequate in coping with the new order of things. On the other hand it must be admitted that the Great Company was more interested in enlarging and increasing its trade than in the administration of the country. Anyway, with the formation of the Canadian Confederation the Easterners became more active and bolder than ever. They set themselves up into a Canadian party and all their influence and energies were brought to bear to draw the North-West Territories into the newly formed confederation.

Judging from the traditions of the old-timers I have known and they were the elite of the old generation, I have no hesitation in stating that the entry of the North-West into the Confederation would have been accepted by the Metis as a mere incident of their then happy lot. But the attitude of the Canadians of the Red River had become very suspicious and they must have been all alike in the minds of the simple plainsmen.

1868 Long Remembered

The year of 1868 was one long to be remembered. The flood had left dire desolation in its track, the grasshopper plague was at its height, the gardens and the fields were devastated; and what was worse to the Metis—the buffalo had disappeared from the Red River hunting grounds. Starvation threatened the colony. Appeals were made for relief which were generously answered by the Hudson's Bay Company, Quebec, the United States and Canada.

The Canadian Government offered work to the people in opening up the Dawson Road which was to link Fort Garry with the East. So the building of that road was a boon to those in need, nothing much was thought about it, but it was nevertheless, in the minds of the more enlightened considered as an intrusion of Canada in a country where it had no direct concern.

While Canadian engineers were

busy with the Dawson Road Mr. Snow bribed the Indians with whisky to obtain the ownership of lands which had been marked and claimed by the Metis at Pointe-de-Chênes. Snow had to appear before the magistrate and was fined for supplying liquor to the Indians while his land deals went up in the air. Snow's inconsiderate attempt to acquire large land interests added to the suspicion of the Metis. This feeling was enhanced by the conviction that Schultz had converted to his own ends a part of the supplies he had received from the relief organization and which had been intended for distribution amongst the inhabitants. Although direct proof of this might not be easily produced, the fact remains that the impression existed, and for the Metis it was sufficient reason to lose the remainder of the small faith they had in Schultz.

In March, 1869, the Hudson's Bay Company signed an agreement of surrender of its rights of government and monopoly of trade in the North-West Territories. The Great Company was retroceding to the Crown its privileges under its Charter and was organizing into another Company. This was not satisfactory to the personnel of the far off posts and rumors were circulated and rapidly gained ground that the Company had sold the country. In the middle of July, 1869, a mass meeting was called within the fort, but on learning that Schultz was the instigator of it the Metis kept aloof. The meeting was held on the 29th but was not largely attended. Wm. Dease, Wm. Hallet, Pascal Breland and Joseph Genton, spoke. The purpose of the meeting was to incite the people in claiming its share of the purchase price that was alleged to have been paid to the Company by Canada for the acquisition of rights of the Hudson's Bay Company. Schultz's meeting had no immediate sequence but it made the officials of the Company declare that the Hudson's Bay Company had sold its rights and if the people thought they had any claims to make they should lay them before the Canadian authorities.

The cat was out of the bag, what was suspected was at last a fact! Discussion of the question naturally aggravated the consequences of the Company's surrender of its rights.

Those who opposed the Hudson's Bay Company made the best of the anxiety of the population.

Excitement was ripe when in October, 1869, the surveyors (Dennis and others) arrived on the scene and began to draw lines across lands which had been inhabited for half a century. That recalled the doings of Snow at Pointe-de-Chênes the year before and the Metis were alarmed lest they would be deprived of their lands. Andre Nault went to the surveyors who were running lines across his land and told them that he had bought the land on which they were surveying; he told them he has paid the Hudson's Bay Company for it and that it was his. The surveyors paid no attention to Nault and kept on. Nault went to his cousin, young Louis Riel, in order to obtain advice.

Louis Riel

Louis Riel was a native of St. Vital, the son of the Miller of the Seine, and a grandson of Marianne Gaboury, the first white woman who came to the Red River. He was then about twenty-five years old. He had studied at Montreal College and spent two years in the States where he had mastered the English language. His friends and enemies who have known him well are unanimous in saying that he was exceptionally gifted, refined in his manners and an eloquent as well as a convincing orator. He is said to have been a very handsome man of fine physique and a teetotaler. His serious demeanor had kept him somewhat apart but in their plight his fellow-countrymen appealed to him for advice and help.

On the tenth of October a meeting was held at Benjamin Nault's house where it was decided to stop the surveyors. The next morning Riel and a few followers went to the surveyors and ordered them off. The surveyors packed their instruments and belongings and went away. Col. J. S. Dennis laid a complaint against Riel before the magistrate. Riel appeared before the court and answered the charge by stating that Canada had no business in the country and that the status of the inhabitants could not be changed by the Hudson's Bay Company or Canada without consulting them. Riel went to Governor McTavish and reminded him that the Metis were satisfied

with the Hudson's Bay Company's government and that they were appealing to him as Governor to protect them against the intrusion of the Canadians.

McTavish replied that since the Hudson's Bay Company had sold its rights, he could not say whether or not he was still Governor and that he could do nothing. McTavish added that he was hurt in his dignity because he had not even been consulted before the surveyors had begun their work.

Col. Dennis called upon the missionaries at St. Boniface to help him in keeping Riel quiet, but nothing prevailed. Riel was unflinching. It must be noted here that Col. Dennis sent a report to Ottawa that the Metis were opposed to the surveys. Dennis' report is in the archives and can be seen as well as the reply from Ottawa, instructing the Colonel to proceed with the surveys.

The incident of the survey had stirred the Metis who were devising as to what was to be done. They met daily under Riel's leadership. Riel was not opposed to confederation but he wanted the people to be consulted before seeing their native land annexed to Canada. About that time news reached St. Vital that Wm. McDougall was nearing Pembina en route to Fort Garry to take possession of the country in the name of Canada, as Lieutenant-Governor of the newly acquired territories.

This news caused great alarm amongst the Metis who formed a committee of protection in accordance with their time immemorial custom when they were in danger. That committee was named "The National Committee of Protection." John Bruce, a Metis, was president and Louis Riel, secretary. That was on the 19th of October.

War Clouds Gather

On the 21st the committee sent a party to meet McDougall at the international boundary with an order forbidding him to set foot on the soil of the North-West Territories without the permission of the inhabitants. All the roads to Fort Garry from the boundary were patrolled, a barrier was erected on the south bank of the La Salle River at St. Norbert and sentries were posted there.

All the while the Canadian party led by Schultz and Dennis was not

idle; neither was it without friends amongst the Metis. Wm. Dease and a few followers were bidding for the control of the situation. They were of the opinion that Wm. McDougall should be allowed to come in and then the people should treat with him. Riel and his supporters claimed that it was safer to treat with McDougall first and then let him in if Canada's proposals were acceptable. The question was put to a vote at an open air meeting and Riel won almost unanimously.

Following their custom of the time the Metis carried their arms and this fact set their Scotch kinsmen to hesitate in joining the movement. The Scotch had the same feeling as the Metis towards Canada, but they feared bloodshed. Metis and Scotch only differed on procedure. This difference, though trifling in appearance, was to be the cause of many regrettable events later as we shall see.

At this stage of the story one can picture the situation thus:

Riel's party which formed the majority, Dease's group who sided with the Scotch; the Scotch who wanted to treat with McDougal after his arrival at Fort Garry, and then there was the Canadian party which wanted the country into the Confederation at any cost. The Rielists and the Canadians were most active in their respective endeavors while the Scotch were undecided.

On October the 25th the Council of Assiniboia met to study the situation and how to put an end to it. The minutes of the meeting of the 19th were read which recorded the adoption of a motion to welcome McDougall. Mr. Black, who was presiding instead of Governor McTavish, informed the members of what had occurred since the last meeting.

Riel and Bruce were present and were asked to explain the reason of their conduct. Riel alone spoke. He explained that his partisans were satisfied with the Hudson's Bay Company's government and did not wish to have another. He said that he was opposed to any government coming from Canada without his country being first consulted about it; that he would never admit any governor appointed by another authority than the Hudson's Bay Company unless delegates be appointed

to negotiate the conditions under which that governor would be recognized. He added that his people not being versed in public affairs would be at the mercy of a majority of newcomers. "If we let McDougall come in without conditions," said Riel, "he will soon be master and king and it will be too late for us to enforce our rights."

The Council then discussed the question of resorting to force in order to protect McDougall. It was found, however, that troops would have to be levied out of the English speaking section which would bring a conflict in the colony and would result in a civil war.

On November 1st two of McDougall's men, Provancher and Cameron, arrived at the barrier at St. Norbert. They were turned back and escorted to Pembina. Wm. McDougall who had established his quarters in the fort there was ordered out and forced to retire on American soil. In the meantime a cargo of rifles and ammunition, belonging to McDougall's party, were seized by the Metis at St. Norbert.

Sensing the possibility of a serious struggle with the Canadian party and fearing that a language and a common religion would influence the Scotch towards the Canadians, Riel realized that his position was anything but safe. The stone fort of Lower Fort Garry would be in the enemy's camp while Fort Garry itself was at the door of Schultz's partisans. He decided to seize it.

On November the 2nd Riel entered Fort Garry with some 120 men. Once in the fort Riel invited the Scotch to co-operate with him in restoring order. The Council of Assiniboia sat again to consider the possibility of defending the fort, but it was found impracticable as the inhabitants most faithful to the Hudson's Bay Company were with Riel.

At the invitation of Riel the Scotch settlements elected twelve delegates who met twelve Metis delegates on November 16th. The convention of the twenty-four delegates was held in the Council Hall of the fort.

The Scotch asked the French what their intentions were. Riel retorted by the same question to the Scotch. The Scotch were in favor of letting McDougall come in the country as

governor and then to treat with him of the conditions of entry in the Canadian Confederation. Riel reiterated that such a procedure was unsafe because if the people of Rupert's Land were not satisfied with the proposals of the Canadian government a refusal to join the confederation would be impossible without assuming the attitude of a rebellion. The whole convention was of a common accord that the country needed a strong government and some authority to treat with Canada in the name of the inhabitants. Riel addressed the convention as follows:

"We are all of the opinion that there is need of a strong government to maintain order and treat with Canada. Let us form one. Let us form a provisional government which will govern the colony until an arrangement is made with Canada." (Cries of "It is a rebellion!" answered his proposal) Riel said: "It is not a rebellion. We do not rebel against the Hudson's Bay; we do not rebel against Canada. Canada has no jurisdiction here. We do not rebel against the Queen, if the Queen knew our position she would help us."

Some of the delegates pointed out that Canada could send troops. Riel reassured them by saying that winter and distance protected them against a military expedition and that by spring time an arrangement would be reached with Canada. The Scotch delegates objected that they had not been authorized by their constituents to go that far. On November 23rd the convention adjourned without having attained any definite result.

On December 1st the convention resumed its sitting. Before entering the hall, the Scotch delegates met Col. J. S. Dennis who showed them McDougall's proclamation which stated that the North-West Territories were a part of the Dominion of Canada and that he, McDougall, was duly appointed Lieutenant-governor by Her Majesty. The Scotch delegates stopped and kept away from the Metis delegates who were already in session. Although some of the Scotch had doubts about the genuineness of the proclamation, they said that the Metis should be informed of it. A. G. B. Bannatyne (who was not a delegate) went in the hall and

showed the proclamation to the Metis delegates.

Riel expressed his doubt that the proclamation were genuine but that if it were it was time for the Scotch delegates to join the Metis to discuss the situation. He insisted on the fact that he had always been very loyal to Her Majesty but that he could not believe that the Queen would transfer their country before having previously consulted them.

Riel then asked Mr. Bannatyne to go to the Scotch delegates and ask them to come in. The Scotch came in. Riel repeated what he had said to the Metis with reference to the proclamation and added:

"Gentlemen, here is our opportunity. If McDougall is governor today he must be in a position to treat with us. Let him treat with us in the name of Canada and I shall be the first man to go to him and escort him here to his seat of government."

Then Riel moved that a committee of two Metis and two Scotch be appointed to meet McDougall and treat with him in the name of Canada. The Metis named two delegates but the Scotch refused to do so on the ground that McDougall was not invested with the power to treat with them.

Riel came back with his proposal to form a government. The Scotch were still unprepared for it and left. As they were leaving Riel said: "Go back in the arms of your wives and children while we will work to save the country and your rights and then you will come and share with us."

The Scotch went home, while the Metis prepared to form a provisional government for the purpose of treating with Canada and maintaining order. A list of rights was drafted and a copy sent to McDougall.

On December 8th the Metis formed a provisional government with John Bruce as president, and Louis Riel as secretary. Their proclamation recited—

(1) That the Hudson's Bay Company has abandoned them in transferring its trust to a foreign power;

(2) That they refuse to submit to that foreign power before being consulted;

(3) That as British subjects they are free to give themselves a government;

(4) That Canada will be respon-

sible for what may happen if it persists in imposing its authority.

The last paragraph being "That the Dominion of Canada, however, will always find us open to negotiations favorable to its expansion and to our prosperity."

Departments were created and formed to answer the needs of administration, discipline and peace. "The Norwester" which had long since passed in the hands of Schultz and Bown was converted to the use of the Provisional Government under the name of "The New Nation." To be effective the Provisional Government had to dispose of some sources of revenue in order to maintain itself. The Hudson's Bay Company's stores and funds were requisitioned. The Metis thus took real possession of the fort.

On December 26th Vicar-General Thibault arrived at Fort Garry as the first emissary of the Canadian Government. The next day another Canadian emissary arrived in the person of Donald A. Smith, and a few days later a third one in Colonel de Salaberry. As they were coming as negotiators from Canada, Riel who had now become president of the Provisional Government, offered no opposition to their coming. Before acting in an official capacity they had, of course, to produce their credentials.

Father Thibault and Col. de Salaberry had no other mission than using their influence with the Metis and pave the way for Smith. Smith was here as Canadian Commissioner to effect the peaceful transfer of Rupert's Land to Canada. In reality his objective was to join the Canadian party, enroll the Scotch and defeat Riel and the Metis.

Smith "campaigned" the Scotch and the Metis neutrals, using liberal promises and bribery. He had left his credentials at Pembina to gain time and to try to outwit the Metis leader. Riel wanted to get at the papers but failed. Smith's manoeuvre was known to Riel. The latter was waiting for a chance to catch Smith red-handed. The chance came after several days of surveillance. Riel put Smith in the alternative of being arrested and deported or to cooperate with him in bringing an entente between all sections of the colony. Smith had to bend and ob-

tained the authorization to speak to the people.

A mass meeting of practically the whole male population of the colony was held at the fort on January 19, 1870. Riel moved that Thomas Bunn be chairman of the meeting. He was seconded by Pierre Leveillé, and Mr. Bunn took the chair. Angus McKay moved that Riel be interpreter and Judge Black secretary. The motion was seconded by O'Donoghue and carried.

Smith read his papers. When this was done Riel moved that twenty representatives be appointed by the English speaking section and twenty by the French. A. G. B. Bannatyne seconded Riel's motion, which was carried. The representatives were to meet on the 25th to consider Smith's commission and to decide what was to be done.

Judge Black, seconded by O'Donoghue, moved that Thomas Bunn, Bishop Black, John Sutherland and John Fraser, form a committee to divide the country into constituencies and lay down rules for the elections.

Notwithstanding what has been written or said, Riel's idea triumphed. The elections took place and on the 25th of January forty representatives properly elected by the people of Red River, from the best men it had, met at the Fort Garry. Amongst those elected were the Archdeacon of Rupert's Land and men who later became Senators, Ministers, Members of Parliament, Magistrates, etc.

Time and space forbid my going into the details of the Convention of Fort Garry, as this memorable meeting of the forty are known. They are common knowledge. From the Fort Garry Convention was born a new Provisional Government which was the first real legislative assembly in the North-West Territories, and the "Bill of Rights" which became later on the Manitoba Act.

The idea of a Provisional Government was Riel's. The English-speaking delegates were uncertain of the legality of such a step. In order to make sure that the country was without an authority a committee consisting of John Sutherland, J. Fraser, A. D. Lepine and F. X. Page, was appointed by the convention to enquire of Governor McTavish if he was still governor and ask his opinion as to the advisability of forming

a Provisional Government. McTavish replied: "I hope that much good will come out of the convention. For God's sake, form a government and restore peace and order in the settlement." The question of legality was thus done away with.

John Fraser, seconded by D. Gunn, moved that the committee of the Bill of Rights be reappointed to discuss and decide on the basis of details of the Provisional Government which was to be formed for Rupert's Land and the North-West Territories. The motion was carried.

Louis Riel was elected President of the Provisional Government almost unanimously, and others as follows: Jas. Ross, Judge of the Supreme Court; Henry McKenney, Sheriff; Dr. Bird, Coroner; A. G. B. Bannatyne, Postmaster; John Sutherland and Roger Goulet, Collectors of Customs; Thomas Bunn, Secretary; Louis Schmidt, Under-Secretary; W. B. O'Donoghue, Treasurer, and A. D. Lepine, Adjutant General. Rev. Fr. Ritchot, Judge Black and A. H. Scott were nominated as delegates to go to Ottawa and treat with the Canadian Government of the conditions of entry of Rupert's Land and the North-West Territories into the Canadian Confederation.

On March 22, 1870, the delegates left for Ottawa where they arrived on April the 11th and presented their credentials. Each of the delegates carried the following:

To Messrs.

J. N. Ritchot, Priest, etc.

Sir. The President of the Provisional Government of Assiniboia, in Council assembled, by these present, authorizes and delegates you, the Rev. J. N. Ritchot, in company with John Black, Esq., and the Honorable A. Scott, to proceed to Ottawa, Canada; and there that you present the Canadian Parliament with the Bill of Rights which is furnished you herewith, which Bill of Rights embodies the conditions and proposals under which the people of Assiniboia would consent to enter the Confederation with the other provinces of Canada.

Signed this 22nd day of March in the year of Our Lord 1870.

By Order

THOMAS BUNN,
Secretary of State.

Sent of the Government,
Winnipeg, Assinibola.

As the head of the delegation Fr. Ritchot had written to the Canadian Secretary of State in his official capacity and received the following:

Ottawa, April 26, 1870.

Dear Sirs: I acknowledge receipt of yours under date of the 22nd instant, advising that as delegates of the North-west to the Government of Canada, you wish to have an early interview with the Government. In reply, I beg to inform you that Sir John A. Macdonald and Sir Geo. Et. Cartier have been authorized by the Government to confer with you about your mission, and that they will be ready to receive you at eleven o'clock.

I have the honor to be, Sirs,

Your very obedient servant,
JOSEPH HOWE.

To Rev. N. J. Ritchot, Priest;
J. Black, Esq.,
Alfred Scott, Esq.

The Imperial Government watched the negotiations with anxiety. The Colonial Office had cabled Ottawa that the Bill of Rights was to be accepted. Despatches were received daily from London and Sir Clinton Murdock was sent with the instruction not to allow the Governor-General to assent to the Manitoba Act unless the delegates of the Provisional Government were entirely satisfied.

After several parleys a satisfactory arrangement was arrived at between the Red River delegation and the Canadian Ministers and the Manitoba Act was passed by the House of Commons on May 3rd, 1870, and became law on the 12th. With the exception of the amnesty and the natural resources the Bill of Rights had been accepted in its entirety.

The delegation came back to Red River and presented its report to the Council of the Provisional Government which ratified the Manitoba Act on June 24th after a verbal assurance from Sir Clinton Murdock that an amnesty would be proclaimed by Her Majesty.

As Riel was thanking the members of his Council and stated that his task was done, Father Ritchot informed him that Sir George Etienne Cartier in his capacity of acting Prime Minister had requested him to

carry on with the government of the country until the arrival of Lieutenant-Governor Archibald. I had intended to ignore other details because they cannot be mentioned without an outline of the surrounding circumstances but some are history and cannot be passed unnoticed.

From the inception of the Metis movement the Canadian party bitterly opposed Riel and his followers. Schultz, Mair, Snow, Dennis, Scott, Bown and Boulton were the most active. Several attempts were made by those men to use force to defeat Riel's purpose. Indians and settlers were drilled in preparation for the first of December, and when McDougall's proclamation named Dennis as Conservator of the Peace, Dennis issued a "call to arms" on the 6th of December. Dennis's men converted Schultz's buildings into a barricade and were a menace to Riel's men in the fort. On the 7th Lepine took them prisoners. Dennis's call to arms was a flop! Several other attempts were made amongst the Indians and the Scotch to light a war against the Metis, before as well as after the Convention had formed the Provisional Government. The only success of those attempts was to provoke Riel's men and fill the prison of the fort. Schultz, Dennis, Mair and Snow, succeeded in escaping and fled. To cope with the trouble caused by the Canadians Lepine in his capacity of Adjutant-General and guardian of peace, had appointed a court-martial which tried the principals. Death sentences had been pronounced by Lepine's Court Martial but no execution took place before March.

Scott had been captured twice. The first time he had been set free under oath not to take arms again. The second time he had escaped. He was captured a third time. Scott was a fearless man, and for that reason caused more trouble to Riel's men than the rest of the Canadian party. Riel's men were tired of his insults and escapades. They put Lepine in the alternative of making an example or see them abandon the cause. Lepine had to act. Scott was court-martialed on the 3rd of March and shot on the 4th. His execution ended all further disturbances and peace reigned.

Scott's death was unfortunate, but it was not the only one. Young

Sutherland had been killed by a mental deficient who had fled from Riel's camp and met him. Parisien, who killed Sutherland, was lynched and died a few days after. In the fall of the same year Elzear Goulet was stoned by Wolseley's men and died a victim of his staunch loyalty to the cause of his kinsmen.

Other deaths resulted from that troubled period, regrettable as they may be, it is a relief to think that our fair West passed such a crisis without more bloodshed.

This is the story of 1869-70 told by the Metis. It is corroborated by Alex. Begg's "History of the Red River Troubles"; the sworn testimonies of those who were examined by the North-West committee are which are formed in the Blue Book of 1874; and the "New Nation", which I presume can be read at the Provincial Library.

Contrary to the prevailing impression of today, Riel was very loyal to all things British. During his presidency of the two Provisional Governments he resisted enticing offers of money, power, and honor, from prominent Americans, and he had to defend his party against Fenian influence. When O'Donoghue and some American propagandists insulted the British flag, Riel had it hoisted, and posted André Nault at the foot of the mast with orders to shoot any one who would attempt to touch it.

Later on when the Fenians threatened Manitoba with invasion, Riel overlooked the fact that his life was at stake if seen in the country and rallied his Metis to the defense of his native land with the sole assurance that he would not be shot in the back while defending his persecutors, and that was also the loyal attitude of all the Metis.

The services of the Metis were required in 1871, and it was their attitude that saved the country and prevented the Civil War veterans of the North from avenging their wounded pride of the Alabama incident.

Now, on the eve of the sixtieth anniversary of Manitoba's birth as a province, it is the duty of everyone to get at the truth. Let us read Alex. Begg, who was an eye witness of the events of 1869-71. Let us read the memoirs of Sir John A. Macdonald

by Sir Joseph Pope. Riel's case is made in the pages on the Acquisition of the North-West Territories, Vol. II, pages 50 to 60. Let us read the report of the North-West Committee, 1874.

Prominent men who have specialized on the early history of Manitoba cannot but see in Riel a great patriot and an able statesman. Foremost in that class is His Honor Judge Prud'homme who has published many essays on this subject. On January 25th last, speaking at a luncheon given by "The Friends of Riel", to commemorate the sixtieth anniversary of the Fort Garry Convention, His Honor Judge Prud'homme discussed the Red River troubles in the light of constitutional and legal writers. His Honor first made an analysis of the main facts of the outbreak.

He quoted several authorities on the constitution and history of the Hudson's Bay Company. He showed how the legislative, executive and judicial powers of the Company stood on the Royal Charter granted in 1670 by Charles II. He made it clear that with the expiration of the charter the jurisdiction of the Company was at an end. Judge Prud'homme pointed out that no provision had been made in the charter should it expire.

When the people of Red River asked for protection in 1869, the Hudson's Bay Company through Governor McTavish informed the inhabitants that it was powerless. When the Convention met and Governor McTavish was asked if he was still governor, he admitted to the representatives of the people of Rupert's Land that he had no power, no authority. In the natural order of procedure Governor McTavish was the logical authority who ought to have given a direction to the people; this he did by asking the delegates of the Convention to form a government.

The representatives of the people had been chosen from the best men of the population and had been fairly elected for the purpose of solving the problem which faced the country. Those representatives formed a government of necessity to meet the situation. That government was recognized by the Hudson's Bay Com-

pany through its officials. It was recognized by the Dominion of Canada through its ministers, when they treated officially with the delegates sent to Ottawa by that government. The government of the people of Red River was recognized by the Imperial Government through Lord Granville, Minister of the Colonies, and through Sir Clinton Murdock, who had been instructed to protect the Red River delegates in their negotiations with the Canadian Ministers.

Judge Prud'homme quoted from the New Commentaries of the Laws of England, founded on Blackstone, by Henry John Stephen, sergeant-at-law, fifth edition, prepared for the press by James Stephen, Esq., LL.D., of the Middle Temple, barrister-at-law, professor of English law at King's College, London, and Recorder of Poole, in four volumes and dedicated to Her Majesty Queen Victoria, 1863.

At pages 29 to 31 of volume 1, of the above work, the authors explain how governments were born and says: "However they began or by what right soever they subsist, there is and must be in all of them a supreme, irresistible, absolute, uncontrollable authority in which the 'jura summi imperii' or the rights of sovereignty reside. And this authority is placed in those hands, wherein, according to the opinion of the founders of such respective states, either expressly given or collected from their tacit approbation the qualities requisite for supremacy, wisdom, goodness and power are the most likely to be found."

According to the learned judge that means that whenever a society is without an authority the individuals who form that society have the right to give themselves an authority to protect life and property—and that authority has sovereign rights.

His Honor Judge Prud'homme will forgive my quoting him and support his opinion by that of Sir John A. Macdonald in a letter to Wm. McDougall, and dated from Ottawa on November 27th, 1869.

"You speak of crossing the line and being sworn in the moment that you receive official notice of the

transfer of the Territory. Now it occurs to us that that step cannot well be taken. You ought not to swear that you will perform duties that you are by the action of the insurgents, prevented from performing. By assuming the government, you relieve the Hudson's Bay authorities of all responsibility in the matter. As things stand they are responsible for the peace and good government of the country, and ought to be held to that responsibility until they are in a position to give peaceable possession. A proclamation, such as you suggest, calling upon the people in your capacity as Lieutenant-Governor to unite to support the law, and calling upon the insurgents to disperse, would be very well, if it were sure to be obeyed. If, however, it were disobeyed, your weakness and inability to enforce the authority of the Dominion would be painfully exhibited, not only to the people of Red River but to the people and government of the United States.

"An assumption of the government by you, of course, puts an end to that of the Hudson's Bay Company's authorities, and Governor McTavish and his Council would be deprived even of the semblance of legal right to interfere. There would then be, if you were not admitted into the country, no legal government existing, and anarchy must follow. In such a case, no matter how the anarchy is produced, it is quite open by the law of nations for the inhabitants to form a government 'ex necessitate' for the protection of life and property, and such a government has certain sovereign rights by the 'jus gentium,' which might be very convenient for the United States, but exceedingly inconvenient to you. The temptation to an acknowledgment of such a government by the United States would be very great and ought not to be lightly risked.

"We have formally notified the Colonial Office by cable of the situation of affairs, and stated the helplessness and inaction of the Hudson's Bay authorities. We have thrown the responsibility on the Imperial Government, and they will doubtless urge the Hudson's Bay people by cable to take active and vigorous steps. Meanwhile, your course has been altogether right. By staying at Pembina you will be at an easy

distance from the territory, and can, it is hoped, open communications singly or otherwise, with the insurgent leaders."

Time and space prevent me from

going further and I shall leave Riel in the company of Blackstone and Macdonald, and let future generations give their verdict.

